**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.832 OF 2006**

Mr.Mohamed Moosa & Ors. ...Petitioners.

Versus

The State of Maharashtra
and Anr. ...Respondents.

Shri Jamsandekar i/b M/s Sunil & Co. for the Petitioners.

Ms.Vaidehi Mhaisapurkar, A.G.P for the Respondent.

**CORAM : S.C.DHARMADHIKARI,J.**

**DATE : 14th FEBRUARY, 2006.**

**P.C. :**

1. Mentioned. Not on board.

2. Shri Jamsandekar - learned Counsel appearing for the petitioners states that pursuant to the order passed under Section 78(1) of the Maharashtra Co-operative Societies Act, 1960, the Deputy Registrar has superseded the Managing Committee of the Co-operative Society in question and has directed that Administrator would take charge as also proceed to hold elections.

3. In his submission, the order that has been passed on 16th January, 2006 is sought to be

implemented and the Deputy Registrar has moved Police Authorities and sought Police assistance to take charge of the affairs of the Society in question. In these circumstances, he submits that some protection be granted with a view to enable the petitioners to file an Appeal challenging the order impugned herein passed by the Deputy Registrar dated 16th January, 2006.

4. In the light of the fact that the Managing Committee is superseded and an Administrator is appointed who has proceeded and sought Police assistance, there will be stay of the order dated 16th January, 2006 for a period of eight weeks to enable the petitioners to take out appropriate proceedings.

5. Petition is disposed of as an alternate and equally efficacious remedy of Appeal is available to the petitioners to challenge the impugned order. All contentions on merits are expressly kept open.

6. All concerned to act on an authenticated copy of this order.

**( S.C.DHARMADHIKARI,J.)**